A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IV, PART 1, SECTION 1, CONSTITUTION OF ARIZONA; RELATING TO INITIATIVES AND REFERENDA.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it resolved by the House of Representatives of the State of Arizona, the Senate concurring:

1. Article IV, part 1, section 1, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

   1. Legislative authority; initiative and referendum

   Section 1. (1) Senate; house of representatives; reservation of power to people. The legislative authority of the state shall be vested in the legislature, consisting of a senate and a house of representatives, but the people reserve the power to propose laws and amendments to the constitution and to enact or reject such laws and amendments at the polls, independently of the legislature; and they also reserve, for use at their own option, the power to approve or reject at the polls any act, or item, section, or part of any act, of the legislature.

   (2) Initiative power. The first of these reserved powers is the initiative. FOR STATEWIDE MEASURES, under this power ten per-centum PERCENT of the qualified electors shall have the right to propose any STATEWIDE measure, and fifteen per-centum PERCENT OF THE QUALIFIED ELECTORS shall have the right to propose any amendment to the constitution. FOR THE PURPOSES OF THIS SUBSECTION, ONE-THIRTIETH OF THE AMOUNT OF SIGNATURES REQUIRED TO PROPOSE A STATEWIDE MEASURE OR AN AMENDMENT TO THE CONSTITUTION MUST BE FROM EACH LEGISLATIVE DISTRICT.

   (3) Referendum power; emergency measures; effective date of acts. The second of these reserved powers is the referendum. Under this power the legislature, or, FOR STATEWIDE MEASURES, five per-centum PERCENT of the qualified electors, may order the submission to the people at the polls of any measure, or item, section, or part of any measure, enacted by the legislature, except laws immediately necessary for the preservation of the public peace, health, or safety, or for the support and maintenance of the departments of the state government and state institutions; but to allow opportunity for referendum petitions, no act passed by the legislature shall be operative for ninety days after the close of the session of the legislature enacting such measure, except such as require earlier operation to preserve the public peace, health, or safety, or to provide appropriations for the support and maintenance of the departments of the state and of state institutions; provided, that no such emergency measure shall be considered passed by the legislature unless it shall state in a separate section why it
is necessary that it shall become immediately operative, and
shall be approved by the affirmative votes of two-thirds of
the members elected to each house of the legislature, taken by
roll call of ayes and nays, and also approved by the governor;
and should such measure be vetoed by the governor, it shall
not become a law unless it shall be approved by the votes of
three-fourths of the members elected to each house of the
legislature, taken by roll call of ayes and nays.

(4) Initiative and referendum petitions; filing. All
petitions submitted under the power of the initiative shall be
known as initiative petitions, and shall be filed with the
secretary of state not less than four months preceding the
date of the election at which the measures so proposed are to
be voted upon. All petitions submitted under the power of the
referendum shall be known as referendum petitions, and shall
be filed with the secretary of state not more than ninety days
after the final adjournment of the session of the legislature
which shall have passed the measure to which the referendum is
applied. The filing of a referendum petition against any
item, section, or part of any measure shall not prevent the
remainder of such measure from becoming operative.

(5) Effective date of initiative and referendum
measures. Any measure or amendment to the constitution
proposed under the initiative, and any measure to which the
referendum is applied, shall be referred to a vote of the
qualified electors, and shall become law when approved by a
majority of the votes cast thereon and upon proclamation of
the governor, and not otherwise.

(6) (A) Veto of initiative or referendum. The veto
power of the governor shall not extend to an initiative
measure approved by a majority of the votes cast thereon or to
a referendum measure decided by a majority of the votes cast
thereon.

(6) (B) Legislature's power to repeal initiative or
referendum. The legislature shall not have the power to
repeal an initiative measure approved by a majority of the
votes cast thereon or to repeal a referendum measure decided
by a majority of the votes cast thereon.

(6) (C) Legislature's power to amend initiative or
referendum. The legislature shall not have the power to amend
an initiative measure approved by a majority of the votes cast
thereon, or to amend a referendum measure decided by a
majority of the votes cast thereon, unless the amending
legislation furthers the purposes of such measure and at least
three-fourths of the members of each house of the legislature,
by a roll call of ayes and nays, vote to amend such measure.

(6) Legislature's power to appropriate or divert
funds created by initiative or referendum. The legislature
shall not have the power to appropriate or divert funds
created or allocated to a specific purpose by an initiative
measure approved by a majority of the votes cast thereon, or
by a referendum measure decided by a majority of the votes
cast thereon, unless the appropriation or diversion of funds
further the purposes of such measure and at least
three-fourths of the members of each house of the legislature,
by a roll call of ayes and nays, vote to appropriate or divert
such funds.

(7) Number of qualified electors. The whole number of
votes cast for all candidates for governor at the general
election last preceding the filing of any initiative or
referendum petition on a state or county measure shall be the
basis on which the number of qualified electors required to
sign such petition shall be computed.

(8) Local, city, town or county matters. The powers of
the initiative and the referendum are hereby further reserved
to the qualified electors of every incorporated city, town,
and county as to all local, city, town, or county matters on
which such incorporated cities, towns, and counties are or
shall be empowered by general laws to legislate. Such
incorporated cities, towns, and counties may prescribe the
manner of exercising said powers within the restrictions of
general laws. Under the power of the initiative fifteen percent
of the qualified electors may propose measures
on such local, city, town, or county matters, and ten percent
of the electors may propose the referendum on
legislation enacted within and by such city, town, or county.
Until provided by general law, said cities and towns may
prescribe the basis on which said percentages shall be
computed.

(9) Form and contents of initiative and of referendum
petitions; verification. Every initiative or referendum
petition shall be addressed to the secretary of state in the
case of petitions for or on state measures, and to the clerk
of the board of supervisors, city clerk, or corresponding
officer in the case of petitions for or on county, city, or
town measures; and shall contain the declaration of each
petitioner, for himself, that he is a qualified elector of the
state (and in the case of petitions for or on city, town, or
county measures, of the city, town, or county affected), his
post office address, the street and number, if any, of his  
residence, and the date on which he signed such petition.  
Each sheet containing petitioners' signatures shall be  
attached to a full and correct copy of the title and text of  
the measure so proposed to be initiated or referred to the  
people, and every sheet of every such petition containing  
signatures shall be verified by the affidavit of the person  
who circulated said sheet or petition, setting forth that each  
of the names on said sheet was signed in the presence of the  
affiant and that in the belief of the affiant each signer was  
FORE STATEWIDE MEASURES a qualified elector of the APPROPRIATE  
LEGISLATIVE DISTRICT AND THIS state, or in the case of a city,  
town, or county measure, of the city, town, or county affected  
by the measure so proposed to be initiated or referred to the  
people.  

(10) Official ballot. When any initiative or referendum  
petition or any measure referred to the people by the  
legislature shall be filed, in accordance with this section,  
with the secretary of state, he shall cause to be printed on  
the official ballot at the next regular general election the  
title and number of said measure, together with the words  
"yes" and "no" in such manner that the electors may express at  
the polls their approval or disapproval of the measure.  

(11) Publication of measures. The text of all measures  
to be submitted shall be published as proposed amendments to  
the constitution are published, and in submitting such  
measures and proposed amendments the secretary of state and  
all other officers shall be guided by the general law until  
legislation shall be especially provided therefor.  

(12) Conflicting measures or constitutional amendments.  
If two or more conflicting measures or amendments to the  
constitution shall be approved by the people at the same  
election, the measure or amendment receiving the greatest  
number of affirmative votes shall prevail in all particulars  
as to which there is conflict.  

(13) Canvass of votes; proclamation. It shall be the  
duty of the secretary of state, in the presence of the  
governor and the chief justice of the supreme court, to  
canvass the votes for and against each such measure or  
proposed amendment to the constitution within thirty days  
after the election, and upon the completion of the canvass the  
governor shall forthwith issue a proclamation, giving the  
whole number of votes cast for and against each measure or  
proposed amendment, and declaring such measures or amendments
as are approved by a majority of those voting thereon to be

law.

(14) Reservation of legislative power. This section
shall not be construed to deprive the legislature of the right
to enact any measure except that the legislature shall not
have the power to adopt any measure that supersedes, in whole
or in part, any initiative measure approved by a majority of
the votes cast thereon or any referendum measure decided by a
majority of the votes cast thereon unless the superseding
measure furthers the purposes of the initiative or referendum
measure and at least three-fourths of the members of each
house of the legislature, by a roll call of ayes and nays,
vote to supersede such initiative or referendum measure.

(15) Legislature's right to refer measure to the people.
Nothing in this section shall be construed to deprive or limit
the legislature of the right to order the submission to the
people at the polls of any measure, item, section, or part of
any measure.

(16) Self-executing. This section of the constitution
shall be, in all respects, self-executing.

2. **Intent**

It is the intent that the residents of each legislative district
have an equal voice in the passage of statewide measures and amendments to
the Constitution of Arizona and that no legislative district has an unfair
advantage.

3. The Secretary of State shall submit this proposition to the
voters at the next general election as provided by article XXI,
Constitution of Arizona.